



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: MATSUI=5

In re Application of:)
Fumio MATSUI et al)
Appln. No.: 09/928,833)
Filing Date: August 14, 2001)
For: OPTICAL RECORDING MEDIA)
Confirmation No.: 8102
Art Unit: 1756
Examiner: M. Angerbrandt
January 23, 2006

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated August 22, 2005, of the Primary Examiner. The claims appealed are claims 1-5 and 7-14.

The item(s) checked below are appropriate:

Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

XXX \$500.00

\$250.00 (small entity)

Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

[] First - \$ 60.00

[] Second - \$225.00

[] Third - \$510.00

month after time period set

Other Than Small Entity
Response Filed Within

[] First - \$ 120.00

[X] Second - \$ 450.00

[] Third - \$1020.00

month after time period set

[X] Less fees (\$450.00) already paid for 2 months extension of time on January 20, 2006.

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 500.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

01/25/2006 MBEYENE1 00000001 024035 09928833

01 FC:1401 500.00 DP

01/25/2006 MBEYENE1 00000001 024035 09928833

02 FC:1252 450.00 DA

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

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AMK:srd

Respectfully submitted,
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Attorneys for Applicant(s)

By: 

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